

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LONNIE BLACK,	:	Case No. 1:12-cv-821
	:	
Petitioner,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Stephanie K. Bowman
	:	
WARDEN, LEBANON	:	
CORRECTIONAL INSTITUTION,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 13); (2) DISMISSING THE PETITION (Doc. 1); AND (3) TERMINATING
THIS CASE FROM THE DOCKET**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio, Western Division, to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on July 19, 2013, submitted her Report and Recommendations. (Doc. 13). Petitioner did not file objections.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety. Accordingly:

1. The Report and Recommendations (Doc. 13) is **ADOPTED**;

2. Respondent's Motion to Dismiss (Doc. 6) is **GRANTED** and the Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED** with prejudice;
3. A certificate of appealability is **DENIED** with respect to any of the claims for relief alleged in the petition;
4. The Court certifies that under 28 U.S.C. § 1915(a)(3) any appeal is not taken in good faith and Petitioner is therefore **DENIED** leave to appeal *in forma pauperis*; and
5. This case is **CLOSED** on the docket of this Court.

IT IS SO ORDERED.

Date: 8/12/2013

Timothy S. Black
Timothy S. Black
United States District Judge